## DISCUSSION OF THE AMENDMENT

Claim 9 has been canceled and replaced with new Claim 17, which is supported by the combination of Claims 9 and 13, together with a recital of the function of the vitamin $B_1$ or derivative thereof, as supported in the specification at the paragraph bridging pages 3 and 4.

Claim 10 has been amended to depend on Claim 17. Claims 11-16 have been canceled.

New Claims 18-20 have been added. Claims 18 and 19 are supported by Claim 13. Claim 20 is supported by original Claim 8.

No new matter is believed to have been added by the above amendment. Claims 10 and 17-20 are now pending in the application.

REMARKS

Applicants thank the Examiner for the courtesy extended to Applicants' attorney during the interview held October 23, 2007, in the above-identified application. During the interview, Applicants' attorney explained the presently-claimed invention and why it is patentable over the applied prior art, and discussed other issues raised in the Office Action. The discussion is summarized and expanded upon below.

The rejection of Claims 9-15 under 35 U.S.C. § 103(a) as unpatentable over US 4,687,777 (Meguro et al), US 5,002,953 (Hindley), FR 2,832,064 (Gerard et al), US 6,251,926 (Momose et al) and US 6,166,219 (Yamasaki et al) in view of US 5,977,073 (Khaled) or US 6,660,293 (Giordano et al), is respectfully traversed.

As recited in new Claim 17, the present invention is a medicinal composition comprising an insulin resistance-improving drug and vitamin $B_1$ or derivative thereof in an amount effective for inhibiting at least one side effect of said insulin resistance-improving drug, which side effect is selected from the group consisting of edema, heart enlargement and anemia, and wherein the insulin resistance-improving drug is selected from the group consisting of pioglitazone, rosiglitazone and CS-011, and salts thereof.

As Applicants' attorney pointed out during the above-referenced interview, Applicants discovered that the above-recited side effects caused by the administration of an insulin resistance-improving drug to a patient in need thereof can be inhibited when the drug is administered simultaneously with vitamin $B_1$ or a derivative thereof. The applied prior art discloses nothing more than that the presently-recited insulin resistance-improving drugs are known for this utility, and that vitamin $B_1$ or derivatives thereof have been included in various nutritional compositions for various purposes. Particularly, Khaled is drawn to the treatment of an immune disorder in a mammal which comprises administering a nutrient composition which contains, *inter alia*, thiamine, wherein the immune disorder is selected

from a relatively large universe of such disorders, including diabetes (column 3, line 27ff). Giordano et al is drawn to a composition and method for prophylactic and therapeutic supplementation of nutrition in subjects, which compositions include thiamine, and may be administered to patients with various diseases or disorders, including poorly controlled diabetes (paragraph bridging columns 1 and 2). But none of the applied prior art discloses or suggests the above-discussed effect when vitamin $B_1$ or a derivative thereof is administered together with an insulin resistance-improving drug.

For all the above reasons, it is respectfully requested that this rejection be withdrawn.

The rejection of Claims 9-16 under 35 U.S.C. § 112, first paragraph, as failing to comply with a written description requirement, is respectfully traversed. Indeed, the rejection is now moot in view of the above-discussed amendment. Accordingly, it is respectfully requested that it be withdrawn.

The rejection of Claim 16 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement as to prevention, is respectfully traversed. Indeed, the rejection is now moot in view of the above-discussed amendment. Accordingly, it is respectfully requested that the rejection be withdrawn.

Applicants respectfully call the Examiner's attention to the omission of the Examiner's initials in the box corresponding to document AO on the copy of the Form PTO 1449 for the Information Disclosure Statement (IDS) filed March 17, 2006, attached to the Office Action. The Examiner is respectfully requested to initial the Form PTO 1449 submitted therewith, and include a copy thereof with the next Office communication. A copy of the Form PTO 1449 is **submitted herewith** for the Examiner's convenience.

All of the presently-pending claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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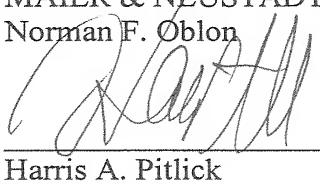
MAIER & NEUSTADT, P.C.
Norman F. Oblon



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